

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Scott Sales, on April 10, 2015 at 10:00 A.M., in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Scott Sales, Chair (R)
Sen. Jennifer Fielder, Vice Chair (R)
Sen. Robyn Driscoll (D)
Sen. Jedediah Hinkle (R)
Sen. Douglas (Doug) Kary (R)
Sen. Cliff Larsen (D)
Sen. Mary McNally (D)
Sen. Mary Sheehy Moe (D)
Sen. Diane Sands (D)
Sen. Nels Swandal (R)
Sen. Chas Vincent (R)

Members Excused: Sen. Kris Hansen (R)

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary: No bill heard in committee

Executive Action: HB 430-Be Concurred In, HB 488-Be Concurred In As Amended, HB 463-Be Concurred In As Amended, HB 468-Be Concurred In

EXECUTIVE ACTION ON HB 430

00:01:11 **Motion:** Sen. Fielder moved that **HB 430 BE CONCURRED IN.**

Discussion:

00:01:32 Sen. Swandal
 00:02:03 Sen. Sands
 00:02:09 Sen. Swandal
 00:03:39 Sen. Fielder
 00:05:16 Sen. Moe
 00:06:28 Sen. Larsen
 00:07:13 Sen. Driscoll
 00:07:39 Sen. Moe
 00:07:48 Sen. Kary
 00:08:33 Sen. Sands
 00:09:53 Sen. Kary
 00:09:59 Chairman Sales

00:10:48 **Vote:** Motion carried 9-3 by roll call vote with Sen. Hinkle, Sen. Swandal and Sen. Vincent voting no. Sen. Hansen voted by proxy. Sen. Hansen will carry the bill.

EXECUTIVE ACTION ON HB 488

00:11:17 **Motion:** Sen. Fielder moved that **HB 488 BE CONCURRED IN.**

00:11:42 **Motion:** Sen. Swandal moved that **HB 488 BE AMENDED.**

[EXHIBIT\(jus72a01\)](#)

Discussion:

00:13:49 Sen. Sands
 00:14:08 Sen. McNally
 00:14:25 Julianne Burkhardt, Legislative Services Division (LSD)

00:14:44 **Vote:** Motion carried unanimously by voice vote. Sen. Hansen voted by proxy.

00:15:00 **Motion/Vote:** Sen. Fielder moved that **HB 488 BE CONCURRED IN AS AMENDED.** Motion carried 10-2 by voice vote with Sen. Hinkle and Sen. Swandal voting no. Sen. Hansen voted by proxy. Sen. Hansen will carry the bill.

EXECUTIVE ACTION ON HB 463

00:16:33 **Motion:** Sen. Swandal moved that **HB 463 BE REMOVED FROM TABLE.**

Discussion:

00:16:45 Sen. Sands
 00:17:04 Julianne Burkhardt, Legislative Services Division (LSD)

00:17:18 Chairman Sales
00:17:25 Ms. Burkhardt, LSD

00:18:33 **Vote:** Motion carried 7-4 by roll call vote with Sen. Kary, Sen. Sales, Sen. Sands and Sen. Vincent voting no. Sen. Hansen was excused.

00:18:37 **Motion:** Sen. Swandal moved that **HB 463 BE CONCURRED IN.**

00:18:41 **Motion:** Sen. Swandal moved that **HB 463 BE AMENDED.**

EXHIBIT(jus72a02)

Discussion:

00:21:38 Sen. Sands
00:22:01 Julianne Burkhardt, Legislative Services Division (LSD)
00:22:20 Sen. Hinkle
00:22:45 Chairman Sales

00:23:25 **Vote:** Motion carried 9-3 by roll call vote with Sen. Kary, Sen. Sales and Sen. Vincent voting no. Sen. Hansen voted by proxy.

00:23:28 **Motion:** Sen. Swandal moved that **HB 463 BE CONCURRED IN AS AMENDED.**

Discussion:

00:23:38 Sen. Vincent
00:24:06 Sen. Swandal
00:25:02 Sen. Vincent
00:25:12 Sen. Moe
00:25:22 Sen. Vincent
00:25:43 Chairman Sales
00:26:09 Sen. Swandal
00:28:52 Sen. Fielder
00:29:58 Sen. Sands
00:30:38 Sen. Swandal
00:31:08 Sen. Hinkle
00:31:45 Sen. Sands
00:31:52 Mark Murphy, Montana Association of Chiefs of Police (MACOP)
00:35:21 Sen. Sands
00:35:33 Sen. Swandal
00:36:43 Chairman Sales
00:37:40 Sen. Swandal
00:39:04 Sen. Vincent
00:39:41 Sen. Swandal

00:41:04 **Vote:** Motion carried unanimously by roll call vote. Sen. Hansen voted by proxy. Sen. Wolken will carry the bill.

EXECUTIVE ACTION ON HB 468

00:41:52 Sen. Swandal
00:42:39 Chairman Sales

00:43:03 **Motion/Vote:** Sen. Swandal moved that **HB 468 BE REMOVED FROM TABLE.**
Motion carried 11-0 by voice vote. Sen. Hansen was excused.

00:43:34 **Motion:** Sen. Swandal moved that **HB 468 BE CONCURRED IN.**

Discussion:

00:44:04 Sen. Moe
00:44:12 Sen. Sands
00:44:24 Julianne Burkhardt, Legislative Services Division (LSD)
00:44:48 Sen. Sands
00:44:54 Chairman Sales
00:45:00 Sen. Driscoll
00:45:27 Sen. Sands
00:45:33 Sen. Driscoll

00:46:43 **Vote:** Motion carried 10-2 by roll call vote with Sen. Kary and Sen. Moe voting no. Sen. Hansen voted by proxy. Sen. Caferro will carry the bill.

Committee Business:

00:47:36 Chairman Sales
00:47:55 Mark Murphy, Montana County Attorneys Association (MCAA); Montana Association of Chiefs of Police (MACOP); Montana Police Protective Association (MPPA)
00:48:53 Chairman Sales
00:49:04 Mr. Murphy, MCAA, MACOP, MPPA

ADJOURNMENT

Adjournment: 10:50 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus72aad.pdf](#))